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Notice of Allowability	Application No.	Applicant(s)	
	10/688,663	SHENDON ET AL.	
	Examiner	Art Unit	
	George Nguyen	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed on January 19, 2005.
2. ☒ The allowed claim(s) is/are 1 and 3-20.
3. ☒ The drawings filed on 16 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

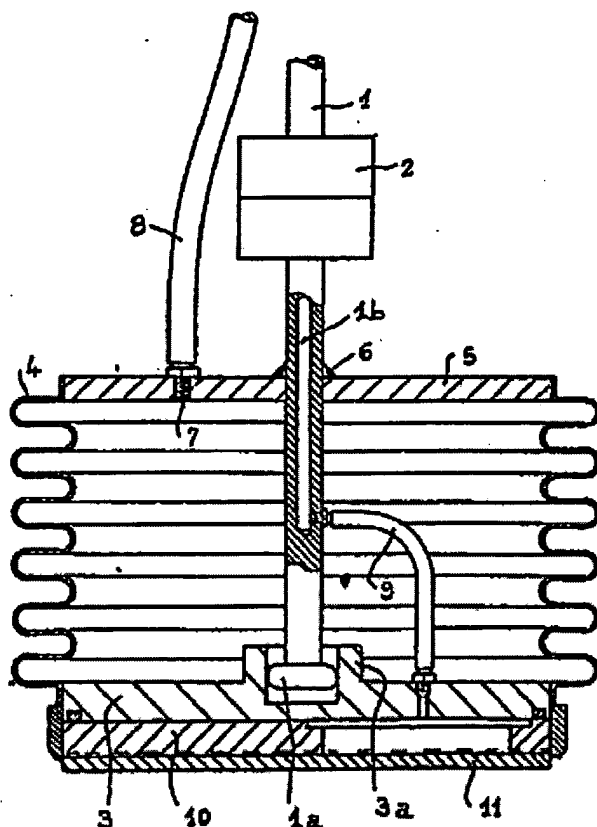
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>011905</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: the specific limitations of "the backing member including an opening therein for fluid to flow from the passage to press the substrate against a polishing pad" in the combination as claimed in claim 1, and "directing a fluid through an opening in the backing member to press the substrate against a polishing pad" in the combination as claimed in claim 15 are not anticipated nor made obvious by the prior art of record in the examiner opinion. For example, EP156746 discloses a polishing head comprising a polishing head housing 5, a passage supplying fluid pressure fluid 8, a backing member 10 to hold a substrate 11 against a polishing pad, the backing member 10 including an opening to allow vacuum 9 to provide suction to substrate 11 to hold substrate 11 during the abrading process



With reference to Figure 2, JP'63-144954 discloses work 12 engaged with the step part 1 6a of a work holder 16 is absorbed and held by vacuum suction through a suction hole 20 and a tube 24 and pressed against a surface board 10 which rotates and polished. Then, pressure fluid from a tube 27 and a port 14 is supplied and filled up in space 30 between a pressure head 1 1 and a work 12, pressing the work 12 against the surface board 10 with uniform surface pressure. This work holder 6 is never applied with biased, since so supported as to be free in rocking by the pressure head 11 through a diaphragm 17. And further the sealing effect of a seal member 18 is improved too, and flapping at the peripheral part of the work can be prevented. In this way, the work can be finished into high flatness and there is no fear of dirty and injury attaching to the

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back of the work.

However, the prior art of record fails to provide or suggest the specific limitations of “the backing member including an opening therein for fluid to flow from the passage to press the substrate against a polishing pad” in the combination as claimed in claim 1, and “directing a fluid through an opening in the backing member to press the substrate against a polishing pad” in the combination as claimed in claim 15, because in accordance with MPEP 2143.01, the proposed modification would change the principle operation of EP’156746 by changing vacuum source 9 to pressurized fluid as set forth in the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

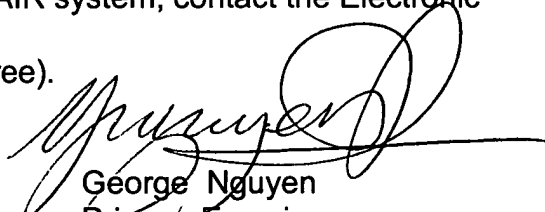
Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 571-272-4491. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Nguyen
Primary Examiner



George Nguyen
Primary Examiner
Art Unit 3723

GN – April 07, 2005